

VEINOTTE – Appln. No. 10/758,126

REMARKS

Reconsideration and entry of this Amendment are respectfully requested. Claims 2, 6, 7 and 9 have been amended. Claims 1 and 8 have been canceled. Claims 2-7 and 9 are pending.

The Examiner indicated that claim 2 contains allowable subject matter. Claim 2 has been placed in independent format and is considered to be allowable along with dependent claims 3-5.

Claim 6 stands rejected under 35 U.S.C. 102(b) as being anticipated by Proper. Claim 6 has been amended to include the allowable subject matter of claim 2, namely a stator, an electromagnetic coil, and an armature integrally formed proximate a first end of the elastomeric actuator. The prior art of record does not teach or suggest such structure. Therefore, the rejection should be withdrawn.

Claim 7-8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Proper in view of Cook. Claim 7 has been amended to define the invention more clearly to obviate the rejection. In particular, claim 7 has been amended to include the allowable features of claim 2, namely that purge valve includes a stator, an electromagnetic coil, and an armature integrally formed proximate a first end of the elastomeric actuator. Claim 7 has also been amended to recite that energizing the electromagnetic coil magnetically attracts the armature toward the stator in a direction of the central axis (claim 8 features) thereby deforming the elastomeric actuator to disengage the elastomeric actuator from the sealing surface to permit fuel vapor flow through the aperture. The prior art of record does not teach or suggest using a coil and stator to deform an elastomeric actuator to permit flow through an aperture.

It is respectfully submitted that the amendment of claims 6 and 7 does not raise new issues or require further consideration since the amended features were previously considered by the Examiner when examining the original claims.

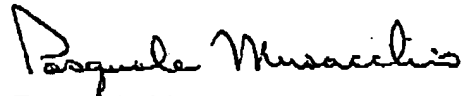
All rejections having been addressed; it is respectfully submitted that this application is in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of

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this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 19-2179, under Order No. 2000P00588US01, and please credit any excess fees to such deposit account

Respectfully submitted,



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